

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

SERGIO B. CEBALLOS

v.

**JAMES J. HEIDECKER, ESQ. and
DAVID L. BARGERON, ESQ.**

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CIVIL ACTION

NO. 02-CV-3274

ORDER

AND NOW, this day of September, 2002, it is hereby **ORDERED** that:

1. Having determined that Plaintiff's Complaint was incorrectly styled as a prisoner's civil rights complaint and having concluded that the Court lacks subject matter jurisdiction over this matter, Plaintiff's Complaint is **DISMISSED**. Although this action cannot proceed in federal court, Plaintiff may be able to bring an action in the appropriate state court.
2. The Clerk of Court is directed to refund Plaintiff the filing fee paid in the amount of \$150.00.

BY THE COURT:

Berle M. Schiller, J.